IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Crl.Rev.Pet.No. 4496 of 2007()

CRA.183/2005 of ADDL.SESSIONS COURT (ADHOC), KOTTAYAM
CC.773/2003 of JUDL. MAGISTRATE OF FIRST CLASS-II(MOBILE), KOTTAYAM

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REVN. PETITIONER:

JOHN KURIAN,
S/O.JOHN,
KAPPANKAL VEEDU,
KAINAKARY P.O.,
ALAPPUZHA.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM.

2. ANTONY SEBASTIAN,
PUTHUPARAMBIL VEEDU,
MAMMOODU,
CHANGANACHERRY.

BY ADV. SRI.GEORGE SEBASTIAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/12 /2007 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4496 of 2007

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Dated: 14-12-2007

ORDER

The accused in C.C. No. 31 of 2005 on th**e file** of the J.F.C.M.II, (Mobile), Kottayam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13326 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

3. The petitioner shall be released from prison forthwith unless his continued detention is necessary in connection with any other case.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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